

September 26, 2003

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20054

Re: CS Docket No. 98-120

Dear Ms. Dortch:

On September 25, 2003, John Hancock, President of The California Channel, Brian Lockman, President & CEO of Pennsylvania Cable Network (PCN), Bill Trevarthen, Executive Director of Michigan Government Television (MGTV) and the undersigned met with Commissioner Abernathy and her legal advisor, Stacy Robinson.

The California Channel, Pennsylvania Cable Network and Michigan Government Television are public affairs cable networks providing the citizens of their states with direct access to state government. These networks were all created by the cable television companies in their respective states. Below is a brief description of these networks and of C-SPAN.

The California Channel is an independent, non-profit public affairs cable network, supported by voluntary contributions from California's cable television industry. Modeled after C-SPAN, the California Channel's primary mission is to provide Californians direct access to gavel-to gavel proceedings of the California Legislature, and other forums where public policy is discussed – all without editing, commentary or analysis.

Michigan Government Television (MGTV), is also a non-profit public affairs cable network that produces unedited coverage of Michigan's state government. Begun in 1996, it derives its revenue from license fees paid by the cable systems carrying its programming. MGTV offers live (as well as tape-delayed) gavel-to-gavel coverage of the House and Senate sessions and oral arguments before Michigan's Supreme Court. MGTV also covers executive branch boards, including the State Board of Education, House and Senate committees, live phone-in shows, and many government-related events.

Pennsylvania Cable Network (PCN), is the oldest of the state-based cable public affairs networks, having been formed in 1979 as a non-profit corporation. It provides unedited live and same-day coverage of the Pennsylvania Senate and House floor proceedings. The network also televises committee hearings, press conferences, speeches, book related programming and other public forums and events where the business and culture of the state is debated, discussed and decided.

C-SPAN is a private, non-profit public service of the cable television industry. Like the state-based networks, it is a charitable organization exempt from federal tax pursuant to Section 501(c)(3) of the tax code. The cable industry created C-SPAN in 1979 and C-SPAN 2 in 1986 to provide live, gavel-to-gavel coverage of the U.S. House of Representatives and the U.S. Senate respectively. In 1997, C-SPAN launched C-SPAN 3, a 24-hour digital offering, to provide more choice in public affairs television.

During their meeting, Mr. Hancock, Mr. Lockman and Mr. Trevarthen described their networks' history, mission and programming. They expressed concerns about expanding broadcasters' must carry rights beyond carriage of a single stream of video programming and the impact such a decision would have on their businesses. Specifically, they argued that requiring cable operators to carry broadcasters' analog *and* digital signals during the transition or to carry broadcasters' *multicast* digital signals after the transition would undermine their ability to continue to provide public affairs programming in their respective states.

The attached article and information on MGTV were provided in the meeting. Any questions may be addressed to the undersigned.

Respectfully submitted,

/s/ **Bruce Collins**

Bruce Collins

cc: Commissioner Abernathy
Stacy Robinson